

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING                      SEPTEMBER 18, 2018**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth O'Leary at 7:00 p.m. Other Commissioners in attendance were Vice President Edward L. Gottschall, Sheri Hoover, William B Miller and David J. Batdorf. Also attending were Solicitor Michael A. Setley, Superintendent of Public Works Robert McNichols, Jr., Assistant Superintendent of Public Works Michael L. Yost, Manager Jeanne E. Johnston, Secretary Latoya Procopio, and Joseph P. Rogosky of Great Valley Consultants.

Pledge to the Flag.

Mr. Setley addressed the public. He stated tonight was the first opportunity that the Board of Commissioners had to consider the Zoning Hearing Board application, as it was submitted after the last monthly meeting. The Board of Commissioners intends to participate in the Zoning Hearing Board hearing as an opposing party. With that being said, the Zoning Hearing Board is an independent body. The applicant can appeal the decision if relief is not granted and the Township can also appeal the decision if their relief is granted.

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO PARTICIPATE IN THE ZONING HEARING BOARD HEARING ON DIVERSIFIED TREATMENT ASSOCIATES AND TO TAKE A POSITION AGAINST THE APPLICATION, AS THE APPLICATION IS CONTRARY TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND THE APPLICATION IS NOT CONSISTENT WITH THE CHARACTER OF THE NEIGHBORHOOD. THE BOARD OF COMMISSIONERS NAMED COMMISSIONER HOOVER AND COMMISSIONER BATDORF AS THEIR REPRESENTATIVES TO THE ZONING HEARING.**

**PUBLIC**

Attendance: Margaret Trythall of 256 Candy Road, Mohnton, Eric and Marissa Bluestone of 8 Hidden Pond Drive, Suzanne and Doug Shinn of 9 Wildflower Court Shillington, David Osgood of 3 Wildflower Court, Richard Frederick of 13 Hidden Pond Drive, Elizabeth L. Aulenbach of 178 Chateau Drive, Ken and Terri Anne Fritz of 2 Fawn Drive, Lean and Bob Barrett of 78 Beech Road, Rosen Fratin 60 Imperial Drive, Maria Care of 31 Hessian Blvd, Craig O'Neill of 149 Beech Road, Joseph Sweeney of 52 Fawn Drive, Monica Bereschak of 969 Imperial Drive, Richard Fry of 782 Hunters Road, Robert Moyer of 210 Montrose Blvd, Paul Thompson of 395 Pheasant Road, Margaret and Alan Freeman of 100 Wicker Lane, Alice Scalei of 2 Autumn Lane, Denys Allen of 11 Fawn Drive, William Meek of 730 Imperial Drive, Kim and Bob Brinker of 176 Imperial Drive, Ben Waltz of 223 Hickory Road, Ray and M.L. Hill of 255 Hickory Road, Susan and Dave Sitellong of 49 Fawn Drive, Nancy and Ken Adam of 21 Fawn Drive, Jim and Deb Bixler of 604 Imperial Drive, Debra and Michael Colon of 289 Imperial Drive, Sherry and Lamar Schade of 233 Hickory Road, Meritt and George Forbes of 177 Imperial Drive, Kristine Haver of 95 Beech Road, Arlene Parisi and Randy Fromm of 1 Bordeaux Drive, Liz Magovern of Hartman Law Firm, Jeanne and Gary Klein of 14 Hidden

Pond Drive, Kaye Fetherolf of Imperial Drive, Judith Ingram of 23 Stonehill Drive, Anita Jester of 23 Fawn Drive, Alex Frath of 601 Imperial Drive, Melissa Varone of 46 Hickory Road, Athan and Gretchen Dialectos of 32 Fawn Drive, Douglas Reedy of 91 Ross Lane of Mohnton, Connie Hafer and Dorothy Leininger of 241 Imperial Drive, Rebecca and Charles Gring of 1034 Imperial Drive, Evelyn and Jeffrey Onopa of 24 Seven Springs Drive, Michael Krumhelz and Sheila Little of 34 Fawn Drive, Victor Zacharov of 284 Imperial Drive, Michael Sivitsch of 12 Quail Ridge Drive, Charles Muvdi of 3 Fawn Drive, Stan Pilat of 1 Creek Court and Oleg Erlikh of 2 Hidden Pond Drive.

A) Robert Moyer of Montrose Blvd. re: signs

Mr. Moyer stated that people have put up signs along an alleyway and he feels that the signs are stolen and should be taken down. Mr. McNichols informed Mr. Moyer that anyone has the ability to purchase traffic signs and it is not illegal to possess them. Mr. McNichols stated the Township marks all signs that the Township owns. Mr. Moyer also explained to the Board his concern with motorists not stopping at the stop sign on Montrose Blvd.

B) Richard Fry of 782 Hunters Road re: neighbor

Mr. Fry expressed to the Board concern with his neighbor's yard. He believes his neighbors at 781 Hunters Road are being favored when it comes to following the weed ordinance. The neighbors have sprayed the weeds and the weeds are now dead, however Mr. Fry would like the weeds to still be cut down. He believes that the neighbor is retaliating against him. Mr. Fry would like the Fire Chief to come to the property and inspect the weeds as he believes they are a fire hazard. Mrs. O'Leary stated that the Board is aware of ongoing hostility between the neighbors.

C) Elizabeth Aulenbach of 178 Chateau Drive

Ms. Aulenbach expressed her gratitude to the Board of Commissioners for their help with 180 Candy Road. She questioned what she should do regarding the private road owned by the homeowners. She stated the road is marked as private but people keep driving down the road. She questioned what kind of signage she should have. Chief Winchester recommended "no trespassing" signs as conspicuous as possible.

D) Joseph Sweeney of 52 Fawn Drive

Mr. Sweeney requested clarification on the distance for being able to have a voice at the Zoning Hearing Board. Mr. Setley stated the rule is 500 Feet to have standing in a zoning hearing. Mr. Sweeney thanked the Board of Commissioners for taking an opposing position on the Zoning Hearing application for 479 Imperial Drive.

### **SOUTHERN BERKS REGIONAL EMS**

A) **Monthly Report – August 2018**

Mr. Malcom Cole was present to give the August 2018 report. Mr. Cole stated Southern Berks had 182 emergency management service calls. Mr. Cole noted the number of calls for August was the highest it has been all year. Mr. Cole stated Southern Berks had a loss of

\$70,000.00 due to 3 payrolls in the month of August. He noted that SBREMS earned a Lifeline Gold Plus award for 5 years in a row.

#### **TREASURER**

A) Monthly Report – August 2018

#### **TAX COLLECTOR**

A) August 2018 Report

1) Year 2018 Real Estate

Balance collectable beginning of month – \$192,234.89

Cash collected - \$15,158.22

Balance collectable end of month - \$178,454.71

2) Year 2018 Refuse

Balance collectable beginning of month - \$38,135.00

Cash collected - \$3,265.30

Balance collectable end of the month - \$35,160.00

3) Year 2018 SMP

Balance collectable beginning of month - \$3,825.00

Cash collected - \$330.00

Balance collectable end of the month - \$3,525.00

4) Year 2018 Real Estate Interim

Balance collectable beginning of month – \$2,631.51

Cash collected - \$2,302.72

Balance collectable end of the month - \$281.79

5) Year 2018 Per Capita

Balance collectable beginning of month – \$38,475.00

Cash collected - \$17,971.70

Balance collectable end of the month - \$19,835.00

#### **APPROVE MINUTES**

**ON MOTION OF MR. MILLER, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE APPROVING THE MINUTES FROM 8/21/2018.**

#### **DEPARTMENTS**

##### Police Department

A) Monthly Report – August 2018

Chief Winchester informed the Board that the Crime Mapping data was incorrect. There were no gun incidents in the Flying Hills area in August. The information was entered incorrectly; the two incidents were meant to be classified as welfare check.

##### Fire Department

A) Monthly Report – August 2018

Administration

A) Codes Report- August 2018

- Building Permits Issued- 12
- Use Permits Issued- 4
- Zoning Permits Issued- 8
- Notices of Violations- 47
- Citations issued- 0
- Violations complied- 28
- Phone calls from contractors, realtors & public approximately- 173
- Permit Inspections Done – 22
- Inspections with the Fire Department – 2

**B) Flood 8/13/2018 and 8/31/2018 – declaration of emergency for certain repairs**

- 1) culvert at Gouglersville Rd.
- 2) culvert at 75 Hampshire Rd.

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING A DECLARATION OF EMERGENCY FOR CERTAIN CULVERT REPAIRS ON GOUGLERSVILLE AND HAMPSHIRE ROADS.**

**C) 2019 Budget – Pension Minimum Municipal Obligations**

- 1) adopt resolution for police pension 2019 MMO in the amount of \$871,707.00
- 2) adopt resolution for non-uniformed 2019 MMO
  - a) defined benefit plan = \$40,585.00
  - b) defined contribution plan = \$83,700.00

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ADOPT THE RESOLUTION FOR NON-UNIFORMED 2019 MINIMUM MUNICIPAL OBLIGATION AND THE RESOLUTION FOR POLICE PENSION 2019 MINIMUM MUNICIPAL OBLIGATION.**

D) Summer Playground Program 2018

- 1) Letter from YMCA re: summary of program, dated 9/18/2018

E) Trees

- 1) proposed letter to property owners

Ms. Johnston informed the Board that the Township staff was considering sending out letters to all property owners about trimming their trees. The Board did not object.

Public Works

A) Monthly Report – August 2018

**B) Poplar Neck Bridge**

- 1) application for payment no. 2 in the amount of \$170,538.47

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING APPLICATION OF PAYMENT NO. 2 TO THE BILL ANSKIS COMPANY IN THE AMOUNT OF \$170,538.47.**

C) Storm Sewer Repair – Pennwyn Place

1) road closed 9/19/2018

Mr. McNichols stated Pennwyn Place would be closed on 9/19/2018 for the storm sewer repair. The road would be open during the morning hours to allow the ingress and egress of school buses.

Engineer

A) 2018 Road Work

1) application for payment no. 2 in the amount of \$313,757.22

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING APPLICATION OF PAYMENT NO. 2 TO NEW ENTERPRISE STONE AND LIME COMPANY, IN THE AMOUNT OF \$313,757.22.**

Solicitor

A) Proposed Ordinance Adopting International Codes 2015 update

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING TOWNSHIP STAFF TO ADVERTISE THE INTERNATIONAL CODES 2015 UPDATE ORDINANCE AS PROPOSED.**

**PAYMENTS OF BILLS**

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A MAJORITY VOTE APPROVING THE PAYMENT OF BILLS FROM: 08/24/2018, 09/04/2018, 09/04/2018-IT, 09/14/2018, 09/18/2018.**

Mrs. Hoover abstained from the payment of bills of 09/04/2018-IT.

**CORRESPONDENCE**

- A) Zoning Hearing Board Notice – for-profit child residential facility at 479 Imperial Drive, scheduled for 09/11/2018, application dated 08/22/2018
- B) 2017 Final Audit Report MDC 23-2-04

**COMMISSIONERS**

A) Executive Session

Mr. Setley stated an executive session was held prior to the start of the regularly held meeting. The Board of Commissioners discussed 2 potential litigation matters and 1 collective bargaining unit matter, all matters are pending.

B) Vacancies/Expirations of Terms

1) Zoning Hearing Board Alternate – one vacancy, one candidate

C) Reminders:

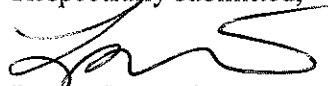
- 1) Offices closed on 10/8/2018 for Columbus Day
- 2) Zoning Hearing on 479 Imperial Dr. scheduled for 10/9/2018 at 6:00 p.m. in the recreation

building (posted)

D) 2019 Budget – tentative schedule: 10/17/2018, 10/24/2018, and 10/30/2018 all at 6:00 p.m.

**ADJOURNMENT**  
**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS**  
**VOTE ADJOURNING THE MEETING AT 7:56 P.M.**

Respectfully submitted,



Latoya Procopio  
Secretary